

### **REMARKS**

Claims 1-3, 5-7, 9-15, 18-19, and 25 are pending in the above-identified application, and were rejected.

#### **I. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claim 1-3, 5-7, 9-15, 18-19, and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shishido, et al. (U.S. Patent 5,869,782) and Ware et al. (U.S. Patent No. 5,537,573). Applicants respectfully traverse this rejection.

Claim 1 recites "storing a data block to be used repeatedly at least twice out of a plurality of data blocks obtained at least by dividing a digital signal on a time base; receiving information indicating the period of time during which said data block is retained; and deleting said data block based on said information."

The Examiner contends that Shishido discloses "storing a data block to be used repeatedly at least twice out of a plurality of data blocks obtained at least by dividing a digital signal on a time base" and "receiving information indicating the period of time during which said data block is retained." The Examiner admits that Shishido does not disclose "deleting said data block based on said information" but instead asserts that this limitation is taught by Ware. Applicant respectfully disagree.

Applicant first submits that Shishido does not disclose "receiving information indicating the period of time during which said data block is retained." Shishido discloses a method for compressing musical data. Thus, in Shishido, the music data is separated into various components and then compressed via the disclosed method. Shishido also mentions, in the background of the invention, that when there are two different identical data areas in an original

file, the compressed file need not store both during compression. (Col. 2, lines 4-14). Shishido does not, however, teach or even suggest, receiving any information regarding the time for which a data block (which was "obtained at least by dividing a digital signal on a time base") in the compressed data is to be retained, such that the data block may be deleted after such time has elapsed.

Moreover, Applicant also respectfully submits that there is no motivation to combine Shishido with Ware. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. MPEP Section. 2143.01 (emphasis added). Here, there is no such teaching, suggestion or motivation. As noted above, Shishido teaches a method for MIDI file compression. Ware then merely discusses a cache system where data may be deleted after a predetermined amount of time. There is absolutely no motivation to use the cache system of Ware with the file compression in Shishido. In fact, doing so would be counter-intuitive. Since Shishido provides a method for saving a MIDI file in a compressed format, there would be no reason to delete any data blocks from the already compressed format, let alone delete any data blocks after a set period of time. If the Examiner continues to present the present rejection, Application requests that the Examiner point to specific portions in Shishido that provide the requisite motivation.

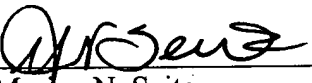
Accordingly, for the reasons above, Applicant submits that independent claim 1, as well as dependent claims 2, 3, 5-7, and 9-14, is allowable over the cited art. For similar reasons, applicant also submits that claims 15, 18-19, and 25 are also allowable.

**VI. Conclusion**

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully request early and favorable notification to that effect.

Respectfully submitted,

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